

\*\*E-filed 7/17/06\*\*

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5 Attorneys for Plaintiffs  
6 NICOLE MOSS  
and DISABILITY RIGHTS,  
7 ENFORCEMENT, EDUCATION,  
SERVICES: HELPING YOU  
8 HELP OTHERS

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 NICOLE MOSS, an individual; and ) **CASE NO. C05-1371 JF**  
12 DISABILITY RIGHTS, ENFORCEMENT, )  
EDUCATION, SERVICES: HELPING )  
YOU HELP OTHERS, a California public )  
benefit corporation, )  
14 Plaintiffs, )  
15 v. )  
16 CHINA ONE BUFFET; NORMA )  
CAMARLINGHI, as trustee for the )  
RUDOLPH CAMARLINGHI EXEMPTION) )  
TRUST; and CHINA ONE )  
INTERNATIONAL BUFFET INC., a )  
California corporation, )  
20 Defendants. )

21 The parties, by and through their respective counsel, stipulate to dismissal of this  
22 action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the  
23 Mutual Settlement Agreement and Release (“Agreement”), each party is to bear its own costs and  
24 attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over  
25 enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994)  
26 (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).  
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1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through  
2 their designated counsel that the above-captioned action be and hereby is dismissed with  
3 prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute  
5 one original document.

6  
7 Dated: July 12, 2006

THOMAS E. FRANKOVICH  
*A PROFESSIONAL LAW CORPORATION*

9  
10 By: /s/ Julia M. Adams  
Julia M. Adams  
11 Attorneys for NICOLE MOSS and  
DISABILITY RIGHTS ENFORCEMENT,  
EDUCATION SERVICES:HELPING YOU HELP  
OTHERS  
12

13 Dated: July 12, 2006

FITZPATRICK, SPINI & SWANSTON

15 By: /s/ Anna DiBenedetto  
Anna DiBenedetto  
16 Attorneys for Defendant NORMA  
CAMARLINGHI, as trustee for the RUDOLPH  
17 CAMARLINGHI EXEMPTION TRUST  
18

19 Dated: July 12, 2006

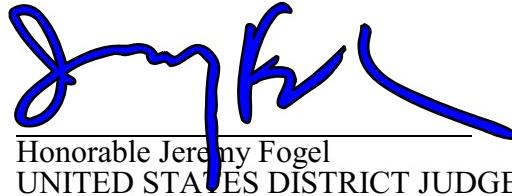
LAW OFFICE OF LESLEY HARRIS

21 By: /s/ Lesley B. Harris  
Lesley B. Harris  
22 Attorneys for Defendants BEST CHINA BUFFET,  
INC., dba CHINA ONE BUFFET, ROBERT  
23 CHOW and CHINA ONE INTERNATIONAL  
BUFFET, INC.  
24  
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2                   **ORDER**

3                   IT IS HEREBY ORDERED that matter is dismissed with prejudice pursuant to  
4 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the  
5 purpose of enforcing the parties' Mutual Settlement Agreement and Release should such  
6 enforcement be necessary.

7 Dated: 7/17/06, 2006



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9                   Honorable Jeremy Fogel  
10                   UNITED STATES DISTRICT JUDGE